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8                   **IN THE UNITED STATES DISTRICT COURT**  
9                   **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
10                   **SAN JOSE DIVISION**  
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12           CISCO SYSTEMS, INC.,  
13                                   Plaintiff,  
14                                   v.  
15                                     
16           ROBERT GORDAN,  
17                                   Defendant.  
18

Case No. CV-02-1862-JF  
ORDER OF DISMISSAL

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20           The parties hereto, by their counsel, have advised the Court  
21 that they have agreed to a settlement of this case.

22           IT IS HEREBY ORDERED that this cause be dismissed with  
23 prejudice; however, that if any party hereto shall certify to  
24 this Court, within ninety days, with proof of service of a copy  
25 thereof, that the agreed consideration for said settlement has  
26 not been delivered over, the foregoing ORDER SHALL STAND VACATED  
27 and this cause shall forthwith be restored to the calendar to be  
28

1 set for trial.

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4 DATED: 9/28/06

5 /s/electronic signature

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7 JEREMY FOGEL  
8 United States District Judge  
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